

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNICORN GLOBAL, INC., *et. al.*,

Plaintiffs,

v.

GOLABS, INC., d/b/a GO TRAX, *et. al.*,

Defendants.

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Civil Action No. 3:19-CV-754-N-BT

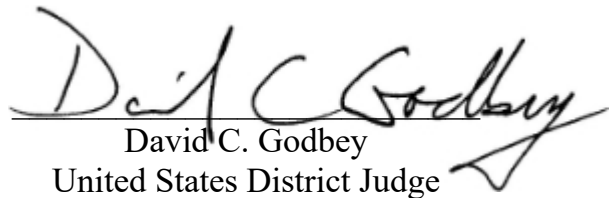
ORDER

This Order addresses Plaintiffs Hangzhou Chic Technology Company Ltd., Shenzhen Uni-Sun Electronic Company Ltd., and Unicorn Global, Inc. (collectively, “Plaintiffs”) motion for reconsideration of claim construction on the term “limiting shaft” [141]. Because Plaintiffs have not provided any evidence that the term would denote a structure to a person of ordinary skill in the art (“POSITA”), the Court denies the motion.

Courts must determine the meaning of claim terms in light of the resources that a person with such skill would review to understand the patented technology. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (en banc) (citing *Multiform Desiccants, Inc. v. Medzam, Ltd.*, 133 F.3d 1473, 1477 (Fed. Cir. 1998)). Courts may look at evidence intrinsic to the patent as well as “extrinsic evidence, which ‘consists of all evidence external to the patent and prosecution history, including expert and inventor testimony, dictionaries, and learned treatises.’” *Id.* at 1317 (quoting *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 980 (Fed. Cir. 1995)).

To determine whether a term is structural, the “standard is whether the words of the claim are understood by persons of ordinary skill in the art to have a sufficiently definite meaning as the name for structure.” *Williamson v. Citrix Online, LLC*, 792 F.3d 1339, 1349 (Fed. Cir. 2015). In the Court’s previous Memorandum Opinion and Order [134], the Court found that the term “limiting shaft” was a means plus function term. The Court noted that Plaintiffs presented no evidence as to the meaning of the term to a POSITA. Because Plaintiffs still have not presented evidence as to the meaning of the term “limiting shaft” to a POSITA, the Court denies the motion for reconsideration.

Signed October 7, 2020.


David C. Godbey
United States District Judge